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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,405	09/04/2001	Yrjo Holopainen	1123.40625X00	1195

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EXAMINER

JACKSON, JENISE E

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,405

Applicant(s)

HOLOPAINEN, YRJO

Examiner

Jenise E. Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6,8,9 and 17-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,8 and 17-22 is/are rejected.
- 7) ☒ Claim(s) 6, 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 21-22, are rejected under 35 U.S.C. 103(a) as being unpatentable over Willsey(5,754,761) in view of Misra(6,189,146).

3. As per claims 1, 21-22, Willsey(5,754,761) discloses a hardware identification sequence(see col. 3, lines 44-55, 60-61, col. 4, lines 1-5), and a license key that contains a hardware identification sequence(see col. 8, lines 8-12). However, Willsey does not disclose that the hardware identification sequence is encrypted. Misra et al. discloses that the hardware identification sequence is encrypted(see col. 11, lines 53-57). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the hardware identification sequence that is encrypted and a secret key coded in the software is used to decrypt the hardware identification sequence in Misra et al. with Willsey, the motivation is that when a hardware identification sequence is encrypted it prevents a client from looking within a license to find its associated hardware id(i.e. client id)(see col. 11, lines 53-57 of Misra et al.).

4. Claims 8, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willsey in view of Misra as applied to claim 1 above, and further in view of Lewis(5,734,819).

5. As per Claims 8, and 17-20, Willsey-Misra combination discloses a hardware module(see col. 3, lines 44-55, 60-61, col. 4, lines 1-5); however, do not disclose that the hardware module is

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a network interface module including a unique network address(MAC). Lewis discloses that the hardware module is a network interface module including a unique network address(MAC). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the hardware module is a network interface module including a unique network address(MAC) of Lewis with Willsey-Misra, the motivation is that by using a message authentication code, is a more efficient method that can detect any duplication or modification, Lewis discloses that the unique chip identifier includes data that the manufacturer wants to prevent from being modified (see col. 2, lines 1-50 of Lewis).

6. Claims 6, 9, are objected to as being rejected on base claims. The reasons why these claims are allowable are for the features of “ a second secret key that is used for encrypting the public key, and the public key is for decrypting”. Claim 9, is allowable for the feature of the specific hardware modules is a Bluetooth module.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E Jackson whose telephone number is (571) 272-3791. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jenise Jackson

September 29, 2005

CEL
Primary Examiner
AU2131
9/29/05